

TFW

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application

Inventor: Hideki Kanemoto et al. Group Art Unit: 2664
Appln. No.: 09/744,811 Examiner: A. C. Lee
Filed: January 30, 2001
For: PACKET COMMUNICATION APPARATUS AND TRANSMIT POWER
CONTROL METHOD

CERTIFICATION UNDER 37 CFR §1.97(e)(1)

Assistant Commissioner of Patents
Washington, DC 20231

Dear Sir:

In fulfillment of 37 CFR 1.97(c)(1) and 1.97(e)(1), it is hereby certified that each item of information contained in the attached Information Disclosure Statement was first cited in any communication (see the attached copy of a Supplementary European Search Report dated August 24, 2005) from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement.

Respectfully submitted,

James E. Ledbetter
Registration No. 28,732

Date: October 19, 2005

JEL/ejw

ATTORNEY DOCKET NO. L9289.01104
STEVENS, DAVIS, MILLER & MOSHER, L.L.P.
1615 L STREET, NW, Suite 850
P.O. Box 34387
WASHINGTON, DC 20043-4387
TELEPHONE: (202) 785-0100
FACSIMILE: (202) 408-5200



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of

Inventor: Hideki Kanemoto et al. Group Art Unit: 2664

Appln. No.: 09/744,811 Examiner: A. C. Lee

Filed: January 30, 2001

For: PACKET COMMUNICATION APPARATUS AND TRANSMIT POWER
CONTROL METHOD

INFORMATION DISCLOSURE STATEMENT

Assistant Commissioner of Patents
Washington, DC 20231

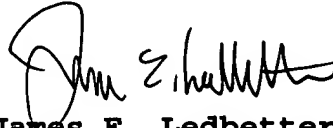
Dear Sir:

Pursuant to Rules 56 and 99, Applicants hereby call the attention of the Patent Office to the art listed on the attached Form PTO 1449. WO '253 was cited in a Supplementary European Search Report dated August 24, 2005 (copy attached). WO '253 corresponds to EP '393.

Applicants present this art so that the Patent Office may, in the first instance, determine any relevancy thereof to the presently claimed invention, see Beckman Instruments, Inc. v. Chemtronics, Inc., 439 F.2d 1369, 1380, 165 USPQ 355, 364 (5th Cir. 1970). Also see Patent Office Rules 104 and 106. Applicants respectfully request that this art be expressly considered during the prosecution of this application and made of record herein and

appear among the "References Cited" on any patent to issue herefrom.

Respectfully submitted,



Date: October 19, 2005

James E. Ledbetter
Registration No. 28,732

JEL/ejw
ATTORNEY DOCKET NO. L9289.01104
STEVENS, DAVIS, MILLER & MOSHER, L.L.P.
1615 L STREET, NW, Suite 850
WASHINGTON, DC 20043-4387
Telephone: (202) 785-0100
Facsimile: (202) 408-5200

FORM PTO-1449 U.S. Department of Commerce
(Rev. 4/92) Patent and Trademark Office

ATTY. DOCKET NO.

SERIAL NO.

L9289.01104

09/744,811

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use several sheets if necessary)

APPLICANT

Hideki KANEMOTO, et al.

FILING DATE

DATE
January 30, 2001

GROUP

2664

U.S. PATENT DOCUMENTS

[illegible]

FOREIGN PATENT DOCUMENTS

[illegible]

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

Supplementary European Search Report dated August 24, 2005.

EXAMINER

DATE CONSIDERED

EXAMINER: Initial if citation is considered, draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.